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|---|---|---|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>   |   | <b>ATTORNEY'S DOCKET NUMBER</b><br><b>2005735-0004</b><br><b>101582728</b><br><b>U.S. APPLICATION NO. (if known, see 37 CFR 1.5)</b><br><b>Not yet assigned</b> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/US2004/042660</b>   | INTERNATIONAL FILING DATE<br><b>December 17, 2004</b> | PRIORITY DATE CLAIMED<br><b>December 19, 2003</b>   |
| <b>TITLE OF INVENTION</b><br><b>TREATMENT OF OPHTHALMIC CONDITIONS</b>  |   |   |
| <b>APPLICANT(S) FOR DO/EO/US</b><br><b>OSIO SANCHO, Alberto</b>   |   |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |   |   |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).<br/><b>Application as filed, including Appendix A (237 pp.)</b></li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendment has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol> |   |   |
| <b>Items 11 to 20 below concern document(s) or information included:</b> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment. (3 pp.)</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> </ol>  |   |   |

IAP20 Rec'd PCT/PTO 14 JUN 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|---|--------------|---|-----------------|--|----------|---|----------|----------------------|-----------------|---|----------|--|--|---|--------|--|--|--|--|----------|--|--|--|
| U.S. APPLICATION NO. (Unknown see 37 CFR 1.5)<br>Not yet assigned   |              | INTERNATIONAL APPLICATION NO.<br>PCT/US2004/042660                            |                 | ATTORNEY'S DOCKET NUMBER<br>2005735-0004 |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| 20. Other items or information:<br><input checked="" type="checkbox"/> Return Postcard<br><input checked="" type="checkbox"/> International Search Report<br><input checked="" type="checkbox"/> Credit Card Payment Form   |              |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| 21. The following fees are submitted:<br><table border="1"> <tr> <td><input checked="" type="checkbox"/> a) Basic national fee .....</td> <td>\$300.00</td> <td>Applicant use</td> <td>Office use only</td> </tr> <tr> <td><input checked="" type="checkbox"/> b) Examination fee.....</td> <td>\$200.00</td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> c) Search fee (International Search Report prepared by an ISA other than the US).....</td> <td>\$0.00</td> <td></td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL OF ABOVE CALCULATIONS = .....\$500.00</b></td> <td colspan="2">\$500.00</td> <td></td> <td></td> </tr> </table> |              |   |                 |  |          | <input checked="" type="checkbox"/> a) Basic national fee ..... | \$300.00 | Applicant use        | Office use only | <input checked="" type="checkbox"/> b) Examination fee..... | \$200.00 |  |  | <input checked="" type="checkbox"/> c) Search fee (International Search Report prepared by an ISA other than the US)..... | \$0.00 |  |  | <b>TOTAL OF ABOVE CALCULATIONS = .....\$500.00</b> |  | \$500.00 |  |  |  |
| <input checked="" type="checkbox"/> a) Basic national fee .....   | \$300.00     | Applicant use   | Office use only |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| <input checked="" type="checkbox"/> b) Examination fee.....   | \$200.00     |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| <input checked="" type="checkbox"/> c) Search fee (International Search Report prepared by an ISA other than the US).....   | \$0.00       |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| <b>TOTAL OF ABOVE CALCULATIONS = .....\$500.00</b>  |              | \$500.00  |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| <input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$125 for each additional 50 sheets of paper or fraction thereof.   |              |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE            |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| <u>61</u> - 100 = 0   | 0/50 = 0     | 0   | x               | \$250.00                                 | \$0.00   |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).   |              |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA  | RATE            |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| Total claims  | 49 - 20 =    | 29  | 29              | x  | \$50.00  |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| Independent claims  | 7 - 3 =      | 4   | 4               | x  | \$200.00 |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              | YES   | \$360.00        |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| <b>TOTAL OF ABOVE CALCULATIONS = \$3240.00</b>  |              |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.   |              |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| <b>SUBTOTAL = \$1620.00</b>   |              |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f))<br>+.   |              |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| <b>TOTAL NATIONAL FEE = \$1620.00</b>   |              |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property<br>+   |              |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| <b>TOTAL FEES ENCLOSED = \$1620.00</b>  |              |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| <table border="1"> <tr> <td>Amount to be refunded</td> <td>\$</td> </tr> <tr> <td>Amount to be charged</td> <td>\$</td> </tr> </table>  |              |   |                 |  |          | Amount to be refunded   | \$       | Amount to be charged | \$              |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| Amount to be refunded   | \$           |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |
| Amount to be charged  | \$           |   |                 |  |          |   |          |                      |                 |   |          |  |  |   |        |  |  |  |  |          |  |  |  |

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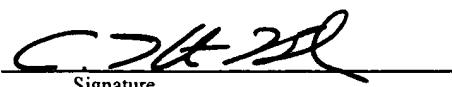
AP20 REC'D PCT/PTO 14 JUN 2006

- a.  A check in the amount of \$0.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 03-1721 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1721. A duplicate of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Patent Group  
Choate, Hall & Stewart LLP  
Two International Place  
Boston, Massachusetts 02110  
Tel: 617-248-5000  
Fax: 617-248-4000  
Dated: June 12, 2006

  
\_\_\_\_\_  
Signature  
C. Hunter Baker, M.D., Ph.D.  
\_\_\_\_\_  
Name  
46,533  
\_\_\_\_\_  
Registration Number

#### CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EV 780260920 US

Date of Deposit: June 12, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as "*Express Mail Post Office to Addressee*" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Signature  
Heather A. Mariacher  
\_\_\_\_\_  
Printed Name